IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

W.P(C).No. 34961 of 2007(K)

PETITIONER:

C.V.RAGHAVAN, S/O. LATE VAVA,
VINOD ARTS, VELLANAD P.O., ERNAKULAM.

BY ADV. SRI.B.JAYASURYA

RESPONDENTS:
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1. **THE MANAGING DIRECTOR,**
   KERALA FINANCIAL CORPORATION, VELLAYAMBALAM,
   THIRUVANANTHAPURAM.

2. **THE CHIEF MANAGER,**
   KERALA FINANCIAL CORPORATION, VELLAYAMBALAM,
   THIRUVANANTHAPURAM.

BY ADV. SRI.M.M.SAYED MUHAMMED, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO.34961 OF 2007 K
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Dated this the 27th day of November, 2007

J U D G M E N T

Petitioner is a defaulter to the 1st respondent Corporation and on an application made by the petitioner for the benefit of one time settlement scheme, that was accepted by the Corporation on condition that the petitioner remits OTS advance of Rs.17,500/-. This admittedly was not complied with and therefore Ext.P2 was issued informing that in view of his failure to comply with the conditions, the petitioner's account cannot be considered for the benefit of OTS scheme. Petitioner submits that thereafter, he submitted Exts. P3 and P4 requesting for extension of the benefit and expressed his willingness to make deposit of the OTS advance.

2. The prayer that is now sought for is that the respondents should be called upon to consider his request made by Exts. P3 and P4.

3. I heard the standing counsel for the respondents also.

4. It is evident that the acceptance of the application for

OTS was conditional and that the said condition was not complied with by the petitioner. If that be so, as at present, the respondents cannot be faulted for not considering the request made by the petitioner. However, now that the petitioner has expressed his willingness to deposit the OTS advance of Rs.17,500/-, I think yet another chance should be given to the petitioner.

5. Accordingly, I direct that before 30th of November, 2007, petitioner shall remit the amount of Rs.17,500/- specified as the OTS advance. It is further directed that, if the petitioner makes deposit as above, respondents shall consider Exts. P3 and p4 applications made by the petitioner. Thereupon, orders shall be passed and communicated to the petitioner. This shall be done within four weeks from the 1st of December, 2007.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

Rp